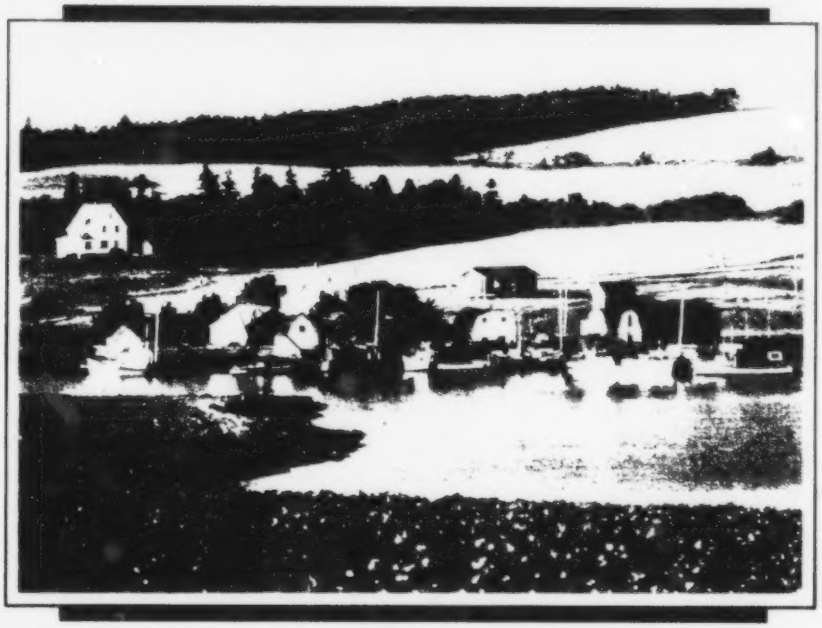
P.E.I. ENVIRONMENTAL ADVISORY COUNCIL



1991

ANNUAL REPORT

PRINCE EDWARD ISLAND

ENVIRONMENTAL ADVISORY COUNCIL

11 Kent Street P.O. Box 2000, Charlottetown, PE C1A 7N8

Telephone (902) 368-5905

Honourable Gilbert Clements
Minister
Department of the Environment
PO Box 2000
Charlottetown, PEI
C1A 7N8

Dear Mr. Clements:

In accordance with the requirements of the Environmental Protection Act, I have the honour of presenting the annual report of the Environmental Advisory Council.

This report covers the period of January 1, 1991 to December 31, 1991.

Respectfully submitted,

Preston MacDonald
Chairman

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INTRODUCTION

The PEI Environmental Advisory Council is made up of thirteen individuals appointed by the Lieutenant Governor in Council, to advise the Minister of the Environment on environmental matters. None of the members are civil servants, nor do they receive any financial compensation. During 1990 the size of the Council was reduced from twelve to eleven members.

The Environmental Advisory Council was established as a recommendation of the Provincial Conservation Strategy which was accepted and then tabled in the Legislature by the Government of PEI in 1987. The recommended duties of a Conservation Council were to include:

- reviewing progress on the Conservation Strategy and presenting an annual "State of the Environment" report to the Legislature.
- recommending on the distribution of conservation funds and the conservation awards.
- coordinating effective efforts among private groups in the field of conservation.
- advising a Minister or Executive Council on new programs and policies.
- providing liaison with the proposed conservation center.

Note:

Quotes from the Conservation Strategy have been underlined to facilitate comparison between recommendations of the Strategy and the activities and recommendations of the Council, which have been typed in bold print.

ENVIRONMENTAL ADVISORY COUNCIL
TERMS OF REFERENCE

Section 4 (2) of the Environmental Protection Act sets out the Councils responsibilities. The Act provides that:

"(2) the Council shall:

(a) serve as an advisory board to the Minister (of the Department of the Environment)

(b) perform such functions as may be prescribed by regulations".

The mandate for the Environmental Advisory Council as prescribed by the Act is somewhat vague, in order to be all encompassing. In discussions with the Minister, he advised Council that he felt that nothing of the environmental nature should be out of bounds for the Council to investigate.

To better define the Environment Advisory Council mandate, the following terms of reference were developed by council and subsequently approved by the Minister:

1. To advise the Minister of the Department of the Environment on matters referred to it by him or the public under the Environmental Protection Act;

2. To report annually to the Minister on submissions received, research conducted, investigations undertaken, and recommendations made under the Environmental Protection Act;

3. To advise the Minister on environmental matters related to activities in relation to the Provincial Conservation Strategy;

4. To make recommendations to the Minister on conservation or environmental improvement awards;

5. To make recommendations to the Minister respecting opportunities for environmental improvement protection programs or projects;

6. To recommend to the Minister public education projects or programs;

7. To make recommendations to the Minister respecting support for community, private and non-government programs and project.

8. To advise the Minister on legislative proposals as they relate to environmental protection and enhancement;

9. To advise the Minister on such matters as he may direct.

10. To perform such functions as may be provided for by regulations under option 4.2 (b) of the Act.

GENERAL COMMENTS

Council anticipated that government would implement initiatives in response to the recommendations of the Royal Commission on Land. However, as yet there appears to have been little response to the Commission's report. At a time when a prime concern of practically all Canadians is the condition of our environment, government should be responding to recommendations based, in large part, on public input. While the suggestions contained with the Royal Commission should be carefully assessed, Islanders expect government actions based on the people's concerns.

Council is pleased to learn of an initiative by the Department of the Environment to review the Government's environmental strategic policy. This may serve as a follow up to the initial Conservation Strategy. Council has often suggested that the 1977 Conservation Strategy should be continually updated and we look forward to the public interest and input which should be generated.

Sustainable development and conservation are critical to the future of Prince Edward Island, as noted and supported by all government in the P.E.I. Conservation Strategy. Virtually all departments and agencies of government have an impact on the environment. It follows that government departments should place a high degree of importance on implementing the Conservation Strategy. The Environmental Advisory Council attempts to make informed recommendations regarding environmental issues, but we sometimes feel that we are being patronized and our views not taken seriously. We are pleased that government departments have responded to recommendations of the 1990 Council report. This year, however, some Departmental replies were not received until almost the end of the year, and in some cases, responses were so brief as to be of little value.

The Environmental Advisory Council was pleased to note the continued growth of community initiated environmental projects, which in several cases, involved hundreds of thousands of dollars. Such projects instill a sense of pride in communities and reveal the potential of the local environment. We believe that these community-driven projects, which the Conservation Strategy fosters, are crucial in overcoming environmental problems on P.E.I. Sustainable development, recycling, habitat restoration, etc. must not be viewed as government projects, but rather as activities in which communities and individuals participate. The ultimate objective of the Conservation Strategy - **"to develop within the people of PEI a way of life based on conservation and sustainability"**, is taking a foothold but must be nurtured.

Council had received suggestions that a more focused approach to issues might be more effective. To address this issue, the format for meetings was altered. The practice followed in 1991 involved having one meeting devoted to a review of the problem, usually including guests who were familiar with the situation. The following meeting was devoted to developing concepts to help address the problem. Council considered the new format to be more efficient and will continue in this manner in the future.

During 1991, the size of Council was decreased to 11 members due to two resignations. Although Council recommended a list of possible replacements, no new members were appointed. The rationale presented for this decrease was to obtain a rotating membership. Government must recognize that the imposed reduction in volunteer manpower reduces areas of expertise and results in an overall reduction in the Council's effectiveness.

AGRICULTURE

SOIL EROSION

"Soil degradation, primarily erosion, is the single most important resource problem facing the province."

Soil degradation is now widely recognized as a serious problem on P.E.I. It is commendable that in 1991 almost 100 soil conservation projects were given support through government programs. In addition, various community watershed management groups have worked with farmers to help prevent sediments from reaching watercourses. However, it is evident when brooks run red after each rainfall, that massive quantities of topsoil are being lost. For example, during autumn 1991, erosion from one section of a single 50 acre potato field adjacent to the West River completely filled a silt pit from which 200 tons of material had been removed. This loss of topsoil is devastating, not only to the farmers of tomorrow, but also to fish and wildlife in our streams, and shellfish in our estuaries and bays.

1. **Council recommends that soil conservation and public awareness programs be pursued with vigor.**

FORESTRY

REFORESTATION

"...most of the better timer was removed. Natural regeneration occurred from poor stock."

Council had discussions with the Department of Energy and Forestry, and visited various demonstration and problem sites in Kings and Queen's County. We are generally pleased with the Department's response to concerns and their attempt to develop new directions toward a sustainable and viable forest industry on P.E.I.

Sound forest management is essential on P.E.I. Half of our land base is forested, and wise planning and development can foster sustainable harvest of a valuable resource in future decades. In addition to fiber production, our woodlots will likely become increasingly important for recreational uses such as hiking and bird watching. Thus, forest management plans should include those elements which will enhance populations of wildlife species.

1. **Council applauds the direction of the Department of Energy of Forestry to integrate wildlife production and forest management and urges the continuation of such integrated resource management.**

2. **Council encourages the Department to focus more attention on the development of tolerant hardwood and mixed wood stands.**

Council members feel that Wildlife (plants and animals) and the forest community above and below the ground are so interwoven that forest sustainability is possible only through the integration of all aspects of the forest community. There is a paucity of data regarding many species of forest wildlife and the abiotic community. Thus, in many ways, foresters are asked to develop management plans while lacking basic information.

3. **There should be greater co-operation between the provincial Fish & Wildlife Division, the Canadian Wildlife Service, and the Canadian Forestry Service in conducting silviculture/ wildlife and soil ecology studies.**

RIPARIAN ZONES

Riparian Zones are important for numerous fish and wildlife species, and thus should be managed with care and expertise. Management plans have to be developed with great care and understanding of the wildlife species which utilize these zones. Contractors require greater time to undertake the activities prescribed by forest management technicians.

4. **Council recommends that contractors be required to attend a training program before conducting work in riparian zones.**

5. **It would be desirable to increase incentives for forest management in riparian zones.**

TRANSPORTATION

"The practice associated with the construction and maintenance of roads...contribute heavily to accelerated erosion. These practices rank with farm erosion in contributing to the erosion problem."

Soil erosion from road construction and maintenance is evident throughout Prince Edward Island. Council had meetings with the Minister and Deputy Minister of the Department of Transportation and Public Works and with senior engineers to express our concerns, and offer suggestions.

1. **Council recommends that all Highway equipment operators be involved in training programs to combat highway soil erosion. Recognition should be given to those departmental employees who put effective erosion control techniques into practice.**

2. **Council commends the Department of Transportation and Public Works on the creation of a new position entitled "Engineering Services", with responsibility to include environmental considerations of highway maintenance and construction.**

"The Department of Transportation and Public Works...practices are very important to the water quality of streams and estuaries."

Council is concerned about the frequent use of freshly treated creosote timbers in the construction of bridge crossings throughout P.E.I. Such timbers are being used by the Department of Transportation and Public Works on highways projects, as well as by other government departments. Creosote from newly treated timbers is known to have a negative impact on wildlife, and thus its use should be prohibited.

3. **Council recommends alternatives to freshly treated creosote timbers (eg. non-treated timbers or treated timbers which have been air dried for at least one year).**

FISH AND WILDLIFE

"By increasing stocks of salmon and sea run trout in Island streams, an opportunity will be provided to develop recreational fisheries of significant economic value."

In recent years, many community and environmental organizations have worked diligently with support from the Island Conservation Assistance Program and other funding sources to enhance the stream habitat in their local areas. Currently, a recreational fisheries plan is being developed for the Island, with input from federal and provincial government agencies, as well as input from community groups. A recreational fisheries agreement between the provincial and federal governments is needed to implement this plan.

1. **Council recommends that the provincial government attempt to expedite the recreational fisheries agreement being negotiated with the federal government.**

Enhancement of salmon and trout habitat and populations is occurring through the combined efforts of communities, organizations, and government agencies. On P.E.I., a landowner with property on both sides of a brook owns the stream bed, and therefore can prohibit angling, or even canoeing, on that section of watercourse. In the past, this has not been a problem. However, as the quality of angling improves, people are beginning to purchase property to exclude anglers from enhanced sections of stream. If Islanders are to retain access to their streams, the province must either legislate the right to cross land (as exists in Nova Scotia) or acquire ownership of the stream bed.

2. **The province should establish guaranteed access to the stream bed, to ensure equal opportunity for all Islanders and visitors to enjoy our watercourses.**

WASTE MANAGEMENT AND POLLUTION CONTROL

WASTE MANAGEMENT

Because our province is not heavily industrialized, we do not suffer from the major pollution problems of more densely settled parts of the country. This does not mean pollution is not a problem.

We were pleased to see the implementation of a waste management plan in 1991. While improved management and a reduction in the number of dumps will have positive effects, Council feels that Islanders must become more informed. Most people living in municipalities are not aware of garbage disposal costs because such costs are included with other taxes. Techniques should be developed to implement a user pay disposal program based on the quantity of garbage generated by each household. Charging for disposal is a strong incentive to encourage recycling.

1. **Islanders should be made aware of the direct costs of waste disposal. In addition, Council also recommends expanded public awareness of practical techniques for recycling and composting.**

Problems associated with current waste collection for recycling (long transport distance, low quantities of waste, poor financial incentives) tends to place in jeopardy the long term viability of even well received initiatives such as the Blue Box Program. A maritime approach with a major central recycling plant might prove feasible. In addition, Council suggested that consideration be given for government support for a centrally located pulp mill equipped to "de-ink" and recycle paper. Without sufficient economic incentives for private businesses and larger industries, desired levels of recycling will likely remain unattainable.

2. **Serious consideration should be given to a co-ordinated funding and logistic support program to promote recycling within P.E.I. and the other maritime provinces.**

LANDSCAPE, LAND USE PLANNING, AND TOURISM

NATURAL AREAS/ECOLOGICAL RESERVES

There are a large number of...local groups and individuals concerned with the management, use and enjoyment of wildlife.

We were pleased to note the introduction and success of the Conservation Guardian Program. This program, sponsored by the Island Nature Trust and the PEI Wildlife Federation, enlisted the services of local residents to monitor special environmental areas. These individuals had the opportunity to become involved, and their assistance aids government employees in monitoring and enforcing environmental regulations.

1. **Council recommends support and expansion of the Conservation Guardian program.**

The government should make a commitment to protect environmentally significant sites in this province.

Ecological reserves protect important habitats for plants and animals and are especially valuable for the preservation of unique or rare species and ecosystems. These special sites serve as outdoor laboratories, sources for genetic material (eg. seeds for new generations of trees), and are priceless for environmental education.

Council was pleased to note the development of the Significant Environmental Areas Plan; an overall framework to ensure the long term preservation of environmentally significant areas across P.E.I.

2. **We strongly support a program for the systematic acquisition and/or protection of the sites identified under the Significant Environmental Areas Plans.**

EDUCATION AND PUBLIC AWARENESS

PUBLIC AWARENESS AND ENVIRONMENT

Ways must be found to involve the whole of the Island community in the concepts of sustainable development and stewardship of resources.

Islanders are becoming more environmentally conscious and they are often interested but unfamiliar with activities of the P.E.I. Department of the Environment. Others who are aware of such activities would appreciate more feedback on the progress of various projects.

1. **A regular newsletter should be written about conservation and environmentally significant activities conducted by various government departments. Increased public awareness regarding successful programs would counterbalance negative attitudes towards Government.**

Council was pleased to support the use of Conservation Strategy funds for the Island Conservation Assistance Program (ICAP), which during the past year, has expanded to include thirty projects employing 115 people. The funding available for projects under this program was increased; over $100,000 was provided by ICAP, thus demonstrating a strong commitment by government. This program has been enhanced further through the use of outside funding sources resulting in more comprehensive endeavours. Projects have raised public awareness, have involved numerous volunteers, and provided valuable employment experience for the youth in our communities.

2. **Council recommends the continuation of the excellent ICAP program.**

Community and environmental organizations have enthusiasm and vigor, but often lack a biological background. Environmental projects being conducted by various organizations would benefit from additional technical advice.

3. **Council urges greater cooperation between government departments and environmental project managers to facilitate and augment the success of ICAP supported projects.**

Over the long term, our best hope for achieving a lasting Conservation Strategy lies in the education of our young people.

We complimented the Department of the Environment for their efforts in educating Island youth through the operation of the Young Environmentalist Program. The participants gained theoretical and practical experience, and also carried their enthusiasm and information to their families and communities.

4. Council supports the continuation of the Young Environmentalist Program.

Council was concerned about television advertisements depicting activities which are illegal under the Environmental Protection Act. Although those carrying the advertisement defended their actions, a letter of concern was forwarded to the Canadian Advertising Council. Television programming plays a significant role in educating society; thus, statements or scenes depicted must be closely monitored. If advertising encourages environmentally illegal activities, legislation to ban their airing should be considered.

5. Mechanisms should be in place to monitor and discourage television advertising which portrays illegal environmental activities.

ENVIRONMENTAL AWARDS

A system of conservation awards should be developed to provide recognition of those who have made noteworthy contributions and to heighten awareness of conservation activities.

Council was pleased to have judged the applications for the P.E.I. 1991 Environmental Awards. The successful recipients in their recipients in their respective categories were as follows:

Government:	City of Charlottetown
Individual:	Kevin MacAdam
Organization:	Environmental Club, Montague Consolidated School
Educator:	Meike Keunecke

The P.E.I. Conservation Strategy sponsored environmental prizes for the Provincial Science Fair, for which Council members served as judges.

6. Government is encouraged to continue to recognize Island residents and organizations having demonstrated significant efforts in environmental fields.

ENVIRONMENTAL EDUCATION

We strongly recommend that the Province develop an integrated science based program of environmental and resource education appropriate to Prince Edward Island.

The EAC believes that the development of a comprehensive environmental education program is of utmost urgency; implementation of such a program should begin in early grades and be prevalent throughout the formal education years.

Council reviewed the report prepared by Environmental Associates Limited entitled, "Aspects of Environmental and Natural Resource Education: A P.E.I. Perspective." We have encouraged efforts to initiate recommendations of the study. When public meetings are held to review the P.E.I. Conservation Strategy, it would provide an excellent opportunity to incorporate a detailed discussion of the needs and opportunities for environmental education in our school system.

7. Council recommends a public review and updating of the P.E.I. Conservation Strategy, which should include close scrutiny of our environmental education programs on Prince Edward Island.

LEGISLATION AND ENFORCEMENT

ENVIRONMENTAL IMPACT ASSESSMENT

A quality environment requires more restriction than we have had in the past.

Council was pleased with the scope of the environmental impact study on the development and operation of a wood burning electrical/heat co-generation facility. We were particularly enthused that the study will look at the resource base - P.E.I. forests. Council did express reservations about ways of verifying that fuel wood sources would originate primarily from low quality, overmature softwoods as proposed.

1. **Council recommends that all major environmental impact assessments address the consequences of the proposed project on the resource base.**

We expressed concern about the amount of time allocated for public review of environmental impact assessment documents. For instance, in the case of the expansion of Cavendish Farms, there was limited time to review the impact study even though it was a very contentious issue. Council also had some major reservations about the study.

2. **Council recommends that the amount of time permitted for public discussion be increased if constructive and detailed input into the Environmental Impact Assessment process is desired.**

MONITORING AND ENFORCEMENT

In many cases, legislation exists but monitoring and enforcement of regulations is the "weak link in the chain." For instance, citizens in the Morell area expressed concerns for months about violations in the Conservation Zone along the Morell River, yet government did not have adequate staff available to monitor the problems or lay appropriate charges.

Regardless of the strength of legislation, a lack of monitoring and enforcement renders it virtually worthless. Council reviewed two cases of environmental damage, the Brookvale ski park expansion and the Lakeside golf course development. Both projects included special agreements which were negotiated to ensure that fragile areas were protected while development proceeded. The environmental damage which occurred in these instances is both difficult and costly to mitigate. Charges for violations were not followed up. When environmental infractions occur on high profile sites, it calls the legislation into question. Government should recognize that there is a lack of credibility when clear violations to legislation are allowed to continue.

3. **Where environmental legislation exists, it is essential that there be careful monitoring to ensure that damage does not occur. Increased enforcement must accompany such monitoring; if infractions occur, charges must be laid.**

Council carefully monitored the environmental assessment process associated with the proposed fixed link. While we did not take a stand either for or against the link, we were concerned that the prescribed process appeared to be circumvented. The decision of the public panel assigned to review the project should have been binding.

4. **The Environmental Impact Assessment process, provincial or federal, should not be circumvented.**

On many occasions, our Council was informed of minor environmental infractions, such as littering, long after the infractions occurred. If there were a toll free telephone number monitored 24 hours each day, violations could be reported anonymously. This could serve as a deterrent and possibly assist in prosecution of violators.

5. **Council recommends that a 24 hour toll free number be established for the anonymous reporting of environmental violations.**

INTERVENOR FUNDING

Council reviewed the benefits that could accrue to the province from a small amount of intervenor funding. We support this concept, provided that the funds are not used for legal services. New or improved strategies are likely to result from such a financial commitment. Funding from non-government sources, such as project proponents, was suggested.

6. **Government should give serious consideration to a funding mechanism which, in providing limited financial aid, would encourage meaningful input in public reviews.**

1991 COUNCIL MEMBERS

Steve Cheverie Souris P.E.I. C0A 2B0	Temporary replacement for Winnifred MacKay
Mr. Cyril DesRoches 425 South Drive St. Eleanors, P.E.I. C1N 3Z3	
Ms. Lisa Doyle Ferderation of P.E.I. Municipalities P.O. Box 98 Charlottetown, PE C1A 7K2	
Ms. Janice Gillis 721 Osborne Street Wilmot, P.E.I. C1N 4N1	
Mr. Glen Gosbee Murray Harbour P.E.I. C0A 1V0	January - May Resigned
Mr. Daryl Guignion Morell RR P.E.I. C0A 1S0	
Mr. Preston MacDonald Lower Bedeque P.E.I. C0B 1C0	CHAIRMAN
Mr. Robert MacDonald South Pinette Belle River, RR#3 P.E.I. C0A 1B0	

1991 COUNCIL MEMBERS cont'd

Dr. Peter MacKean 6 Walker Drive Kensington, P.E.I. C0B 1M0	January - May Resigned
Ms. Winnifred McKay Souris RR#2 Fairfield, P.E.I. C0A 2B0	January - October
Mr. Ron Perry 140 Central Street Summerside, P.E.I. C1N 3L8	
Mr. Gary Reid c/o Diagnostic Chemicals Ltd. West Royalty Industrial Park Charlottetown, P.E.I. C1E 1B0	VICE-CHAIRMAN
Mr. Daniel Schulman Bonshaw RR#4 P.E.I. C0A 1C0	
Mr. Alvin Yeo O'Leary RR#1 P.E.I. C0B 1V0	